

REGULATORY LOAN ACT OF 1963

LICENSE APPLICATION
PROCEDURES
(For FIS 1026)

The Commissioner of the Office of Financial and Insurance Services has determined that this application is available for public inspection or copying pursuant to the provisions of the Freedom of Information Act, PA 442 of 1976, MCL 15.231 et seq; MSA 4.1801(1) et seq, and section 2109 of the Michigan Banking Code of 1999, as amended, MCL 487.12109; MSA 23.710(12109). Accordingly, except as otherwise indicated in this application, the contents of the application shall be disclosed to any person who properly requests an opportunity for inspection, examination, or copying.

I. GENERAL INSTRUCTIONS

- A. The application for a license must be made in writing (ink or typed) to the Commissioner of the Office of Financial and Insurance Services on the attached forms. If, after investigation, the Commissioner determines that the financial responsibility, experience, character, and general fitness of the applicant, and of the applicant's members, officers, and directors are such as to command the confidence of the community and to warrant belief that the business will be operated lawfully, honestly, fairly and efficiently within the purposes of the Regulatory Loan Act of 1963, the Commissioner will issue and deliver a license to the applicant to engage in the making of regulatory loans pursuant to the Regulatory Loan Act of 1963 at the location specified in the application.
- B. The Office will not accept an incomplete application. Complete responses to all questions are required. Do not leave any question blank - Enter N/A or None if not applicable.
- C. The application must be filed with original signatures where applicable.
- D. If the applicant is a Corporation, the resident agent and resident agent's address must agree with that on file with the Corporation and Land Development Bureau.
- E. A financial statement is required, and must be completed in the APPLICANT'S name.
- F. The applicant may provide additional information in support of this application as deemed appropriate.
- G. An application and fees must be submitted for each location that will conduct activities regulated by the Regulatory Loan Act of 1963.

II. STATUS OF APPLICANT

- A. The applicant must be identified as one of the following:

An individual doing business under his or her own name, an individual doing business under an assumed name or trade name, a co-partnership, an association, a Michigan corporation or a foreign corporation.
- B. The financial responsibility, experience, character and general fitness of the applicant are considered during the processing of the application. If the applicant is a corporation and is operating in other states, the regulators in those states may be contacted to determine their experience with the applicant.

- C. If the applicant is a corporation subject to the disclosure requirements of the Securities Exchange Act, a copy of the most recent annual report filed with the Securities and Exchange Commission (Form 10-K) should be made a part of the application.

III. ACCOMPANYING DOCUMENTS

- A. A Personal Disclosure Statement must be completed and submitted as part of the application. Each individual applicant, partner, member, officer, director, shareholder and affiliate identified on page 2 of the application must submit individual Personal Disclosure Statements. The Confidential Background Information Consent Form must also be completed for each individual who submitted a Personal Disclosure Statement and *must be returned under separate cover* to the address shown on the consent form.
- B. If the applicant is an individual doing business under an assumed name, the application must be accompanied by a certificate executed by the County Clerk verifying compliance with the provisions of Act No. 101, Public Acts of 1907, as amended, [MCL 445.1; MSA 19.821].
- C. If the applicant is a partnership, the application must be accompanied by a certificate executed by the County Clerk indicating compliance with the provisions of Act No. 164, Public Acts of 1913, as amended, [MCL 449.101; MSA 20.111].
- D. If the applicant is a corporation which operates under an assumed name status, the application must be accompanied by a certificate executed by the Corporation and Land Development Bureau indicating compliance with the provisions of section 217 of Act No. 284, Public Acts of 1972, as amended, [MCL 450.1217; MSA 21.200].
- E. If the applicant is a corporation, the application must be accompanied by a certified copy of a Board of Directors Resolution which authorizes submission of the application to the Commissioner of the Office of Financial and Insurance Services on behalf of the corporation. A sample resolution format is enclosed. (See page 6a of the application.)
- F. If the applicant has any additional licenses (real estate, residential builder, etc.), please enclose copies of these with the application.
- G. If the applicant is a corporation, please complete the Affidavit of Official Signing of Application. (See page 7a of the application.)

IV. LIQUID ASSETS

The applicant shall demonstrate to the Commissioner that it has available "liquid assets" of at least \$50,000 for the operation of the business at the location specified in the application. "Liquid assets" means cash, unrestricted deposits in banks, and readily marketable securities at their then market value.

V. FEES

A. Investigation fee - \$450

This fee is non-refundable and is required from all applicants making an initial application for a license. It is also required at the time of making a first application for a license after the suspension or revocation of a license.

B. License fee - \$450

This fee is required from all applicants making an initial application for a license and is required annually thereafter for a license renewal. It is refundable if the application is denied.

C. Mail your check, payable to the State of Michigan, and the complete application to:

Division of Financial Institutions
ATTN: Licensing and Enforcement
P. O. Box 30224
Lansing, MI 48933

Questions pertaining to the completion of this application may be directed to the Division's Licensing and Enforcement at (517) 373-3460.

Regulatory Loan License Application

Authorized by: Act No. 21 of the Public Acts of 1939, as amended (the Regulatory Loan Act). Required for license under the Regulatory Loan Act of 1963.

(Check appropriate box or boxes)

Please read and refer to the accompanying instructions before completing this application.

Name (Corporation, Partnership, Sole Proprietorship, or Individual). Include DBA name(s), if applicable.		
Street Address		
City	State	Zip Code
County	Telephone No. ()	Facsimile No. ()
Federal Taxpayer I.D. No.	State Where Organized	
Date of Organization	Date admitted into Michigan, if Foreign Corporation or Association	
Name of Michigan Resident Agent	Address of Michigan Resident Agent	
Name of state(s) other than Michigan where the applicant or its affiliates currently make regulatory loans.		

STATUS OF APPLICANT: (Check appropriate box)

- | | | |
|---|--|--|
| <input type="checkbox"/> An individual doing business under own name | <input type="checkbox"/> A limited partnership | <input type="checkbox"/> A limited liability company |
| <input type="checkbox"/> An individual doing business under an assumed/trade name | <input type="checkbox"/> A general partnership | <input type="checkbox"/> An association |
| <input type="checkbox"/> A corporation
Michigan corporate I.D. # _____ | | <input type="checkbox"/> Other
(describe) _____ |

If Applicant is other than an individual, list the names of all partners, members, officers, directors, shareholders and affiliates of the firm, co-partnership or association. "Officers" means chief executive and/or operating officer, president, executive or senior vice president, secretary and treasurer. "Shareholders" means all shareholders if the total number of shareholders equals 20 or less, or if there are more than 20 shareholders, only those shareholders holding (or controlling) at least 20% of the outstanding voting stock. (If more space is required, please attach additional sheets as necessary.)

Officer's Name	Business Address (Street, City, State, Zip Code)
CEO	
President	
Vice President	
Secretary	
Treasurer	

Director's Name	Business Address (Street, City, State, Zip Code)

Shareholder's Name	Stock Ownership (percentage)*	Stock Ownership (no. of shares)

*Copies of issued stock certificates are to be submitted with this application.

Proposed Manager	Business Address	Residence Address

Are all Officers, Directors, etc. and their titles, listed above or on a sheet attached to this application? _____

ALL APPLICANTS MUST COMPLETE A FINANCIAL STATEMENT

FINANCIAL STATEMENT AS OF _____
month/day/year

Applicant Name _____

Fiscal Year-end of Applicant _____

ASSETS

Cash on Hand and in Banks \$ _____

Notes Receivable ** _____

Accounts Receivable ** _____

Mortgage Loans and Contracts Receivable _____

Stocks, Bonds and Other Investments ** _____

Furniture, Fixtures and Equipment _____

Real Estate and Buildings ** _____

Other Assets ** _____

TOTAL ASSETS \$ _____

LIABILITIES AND NET WORTH

Notes Payable \$ _____

Accounts Payable _____

Contracts and Mortgages Payable

**

Other Liabilities ** _____

TOTAL LIABILITIES \$ _____

Capital Stock \$ _____

Capital Surplus _____

Retained Earnings _____

TOTAL NET WORTH

TOTAL LIABILITIES AND NET WORTH \$ _____

** Detail these items on a separate, attached page(s).

Are any of the receivables or other assets shown above due from Officers, Directors, or related companies?
If yes, please detail on a separate page. _____

None of the assets listed on the foregoing financial statement are pledged to secure payment of liabilities except as follows: (State kind and total of assets pledged, amount of indebtedness so secured and the name of the pledges.)

State all liquid assets available to the applicant for the location disclosed on page 1 of this application.

Please reply to the following questions:	YES	NO
Has any court or regulatory authority ever cancelled, suspended or revoked the authority of the applicant, or of any partnership, association or corporation with which the applicant is, or was associated or affiliated? If yes, please attach a separate sheet giving complete details.		
Has the applicant or any partner(s), member(s), officer(s) or director(s) ever been convicted of a violation of any state or federal criminal statute? If yes, attach a separate sheet giving complete details.		

Provide a general description of the proposed business activities of the applicant. At a minimum, include: what services the applicant will provide to consumers and how the applicant plans to generate business.

[illegible]

Certification

I hereby certify that the foregoing APPLICATION is true and correct to the best of my knowledge and belief.
I understand that omissions or inaccuracies may result in denial of the APPLICATION.

Authorized Signature	Title
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STATE OF (_____)

SS

COUNTY OF (_____)

On this _____ day of _____, _____, before me, a Notary Public in and for
said County personally appeared _____ *

known to me to be said person named in and who executed the foregoing application and made oath that the
statements and representations set forth herein are true to the best of his/her knowledge and belief.

(NOTARY SEAL)

Notary Public

My Commission Expires

* Type or print name of person appearing before notary.

Certificate of Resolution

CORPORATE BOARD OF DIRECTORS

(For corporate applicants only)

Resolution MUST be completed in applicant's full name, including DBA name(s), if applicable.

This is to certify that at a _____ meeting of the Board of Directors of _____
Regular or Special
 _____, a corporation organized under the laws of the State
Applicant Name
 of _____, held at the office of said corporation at _____ of
City, Village, or Twp.
 _____, County of _____, State of _____
 on the _____ day of _____, _____, the following resolution was duly and
 legally presented and adopted by majority vote of the Board, to wit:

It being the desire and purpose of the Board of Directors of _____
Applicant Name
 that this corporation should take steps to be licensed under the provisions of the Regulatory Loan Act of
 1963.

BE IT RESOLVED, that _____ as _____
Name Title
 of this corporation, and in his / her official capacity be, and is hereby authorized and directed to prepare,
 execute, verify, and present to the proper state authorities of the State of Michigan, and for and on behalf of
 said _____, written application under the provisions
Applicant Name
 of the Regulatory Loan Act of 1963, authorizing the conducting of said business by this corporation at
 _____, in the _____ of
Applicant Street Address City, Village, or Twp.
 _____ County of _____, State of _____
 _____ and to do all acts and perform all necessary legal requirements on behalf of
 said corporation to procure the same.

Authorized Signature

Title

Date

Certificate of Resolution

(For limited liability company applicants only)

Resolution MUST be completed in applicant's full name, including DBA name(s), if applicable.

This is to certify that at a _____ meeting of the Members of _____
Regular or Special
 _____, a limited liability company organized under the
Applicant Name
 Laws of the State of _____, held at the office of said limited liability company at
 _____ of _____, County of _____,
City, Village, or Twp.
 State of _____, on the _____ day of _____, _____, the
 following resolution was duly and legally presented and adopted by majority vote of the Members, to wit:

It being the desire and purpose of the Members of _____
Applicant Name
 that this limited liability company should take steps to be licensed under the provisions of the Regulatory
 Loan Act of 1963.

BE IT RESOLVED, that _____ as _____
Name Title
 of this limited liability company, and in his/her official capacity be, and is hereby authorized and directed to
 prepare, execute, verify, and present to the proper state authorities of the State of Michigan, and for and on
 behalf of said _____, written application under the

Applicant Name
 Provisions of the Regulatory Loan Act of 1963, authorizing the conducting of said business by this limited
 Liability company at _____ in the
Applicant Street Address
 _____ of _____ County of
City, Village, or Twp.
 _____, State of _____ and to do all acts and
 perform all necessary legal requirements on behalf of said limited liability company to procure the same.

Authorized Signature

Title

Date

Affidavit

Official Signing of Application (For corporate applicants only)

I, _____ of
Name and Title of Official

Applicant Name

a corporation organized in the State of _____, do hereby declare that I am duly authorized to file the foregoing application and that the statements and representations set forth therein are true to the best of my knowledge and belief.

Authorized Signature

Title

STATE OF (_____)

SS

COUNTY OF (_____)

Subscribed and sworn to before me, a Notary Public in and for said County, on this _____ day of _____, _____.

(NOTARY SEAL)

Notary Public

My Commission Expires

Affidavit

Official Signing of Application (For limited liability company applicants only)

I, _____ of
Name and Title of Official

Applicant Name

a limited liability company organized in the State of _____, do hereby declare
that I am duly authorized to file the foregoing application and that the statements and representations set
forth therein are true to the best of my knowledge and belief.

Authorized Signature

Title

STATE OF (_____)

SS

COUNTY OF (_____)

Subscribed and sworn to before me, a Notary Public in and for said County, on this _____ day of
_____, _____.

(NOTARY SEAL)

Notary Public

My Commission Expires

PERSONAL DISCLOSURE STATEMENT

If the applicant is an individual, please complete the information below and on the next three pages for the individual. If the applicant is other than an individual, complete the information below and on the next three pages for all partners, members, officers, directors, shareholders, affiliates, and the proposed manager identified on page 2 of this application.

Name	Principal Occupation, Employer
Business Street Address	
City / State / Zip Code	Business Telephone No. ()

BUSINESS AFFILIATIONS - List all firms, companies, corporations, or other business organizations of which you are at present a director, officer, employee, partner, member, owner, or affiliate.

Name and Location of Business	Type of Business	Position Held

BUSINESS EXPERIENCE/EMPLOYMENT RECORD DURING THE PAST 10 YEARS:

Date		Name and Location of Business	Type of Business	Position Held
From	To			

[illegible]

PERSONAL DISCLOSURE STATEMENT

Please reply to the following questions:	YES	NO
Have you ever been adjudged as bankrupt or had to work out a compromise with your creditors? If yes, please detail on a separate page.		
Have you ever been convicted of, or pleaded no contest to, any civil or criminal offense involving dishonesty, fraud, or breach of trust? If yes, please detail on a separate page.		
Have you ever been subject to any adverse administrative action with respect to any professional license you hold or have held, including those involving any business or enterprise with which you have been associated as a partner, member, officer, director, shareholder (owning 5% or more of the outstanding voting stock), or affiliate? If yes, please detail on a separate page.		
Has any business or enterprise with which you are or were associated as a partner, officer, director, major shareholder (owning 5% or more of the outstanding voting stock), or affiliate ever been convicted of any criminal matter involving dishonesty, fraud, or breach of trust? If yes, please detail on a separate page.		
Is there any pending civil litigation of any nature in which you are involved as the defendant? If yes, please detail on a separate page.		
Have you ever been convicted of, or pleaded no contest to, any civil or criminal offense? If yes, please detail on a separate page.		

Certification

I hereby certify that the foregoing Personal Disclosure Statement is true and correct to the best of my knowledge and belief. I understand that omissions or inaccuracies may result in denial of the APPLICATION.

Authorized Signature	Title	Date

Please complete and submit the confidential background information consent form on the following page and return it ***under separate cover*** to the Division of Financial Institutions.

CONFIDENTIAL BACKGROUND INFORMATION CONSENT FORM

By signing this Consent, I understand and agree to the following:

The following information about me is necessary to assist the Division of Financial Institutions in evaluating the application of _____ (Applicant). The information will be used to evaluate, among other things, my financial responsibility, experience, character, business reputation, and general fitness, as legally required by section 4 of the Regulatory Loan Act of 1963.

I understand that omissions or inaccuracies in completing the APPLICATION may result in denial of the APPLICATION. The Office may also conduct an independent investigation of me which may include, but not be limited to, contacting federal and state law enforcement agencies, other governmental agencies, and credit reporting agencies. If any information the Office receives indicates a violation of law, the information will be shared with any agency responsible for investigating or prosecuting the violation.

If information about me would warrant denial of the APPLICATION, the Office will give the Applicant, through the person designated for contact, notice of that fact, including a statement of the statutory and factual basis which would warrant denial and the Applicant's rights in respect thereto.

Full Name (Please Print)	Home Telephone No. ()		
Residence Address (Including City, State, and Zip Code)	Date of Birth	Sex	Race
Driver's License No.	Social Security No.		
Other names by which I am now known or have used in the past.			
Other name(s) and social security number(s) under which income tax information is filed, if applicable.			

Authorized Signature	Date
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Please return this Consent form ***under separate cover*** to:

Department of Consumer & Industry Services
 Division of Financial Institutions
 Licensing and Enforcement
 P. O. Box 30224
 Lansing, MI 48909